

FACSIMILE TRANSMISSION COVER SHEET

Date: August 13, 2004

TO:	MR. DEREK WOODS
COMPANY/FIRM:	USPTO - OFFICE OF PETITIONS
PHONE NO.:	
FACSIMILE NO.:	1-703-872-9306

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CONFIRMATION BY MAIL: No

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COMMENTS

U.S. Patent Application No. 09/454,566
Filing Date: Dec. 7, 1999
Atty. Docket No. SAA-25 (122.161)

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Attorney Docket No.: SAA-25(122.161)
Serial No.: 09/454,566

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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First named inventor: David. T. Lindner

Serial No.: 09/454,566

Filed: Dec. 7, 1999

Title: Method for adapting a computer-to-computer protocol ...

Group Art Unit: 2154

Examiner: Lin, Kenny S.

RESPONSE TO DECISION ON PETITION
AND
REQUEST FOR INSTRUCTIONS FOR FILING A RELATED PETITION

(VIA FACSIMILE TO 703-872-9306)

Office of Petitions
U.S. Patent and Trademark Office
Attn: Mr. Derek Woods
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The following is in response to a Decision on Petition mailed 28 July 2004, and to ask for the name of the petitions attorney to whom a petition should be mailed for petitioning to withdraw the same case from issue to consider a new reference.

In the above case a Notice of Abandonment was received on Jan. 8, 2004, for failure to file a timely and proper response to a Notice of Allowance dated August 23, 2003. A response to the Notice of Allowance was filed, but there was not enough money in the deposit account to cover the fees due.

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:


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Date: Aug. 13, 2004


Signature
Sue Muro
(type or print name of person certifying)

Attorney Docket No.: SAA-25(122.161)
Serial No.: 09/454,566

A petition to revive under 37 CFR 1.137(a) was filed via facsimile January 29, 2004. This petition was filed without knowledge of the deficiency in the deposit account. The petition was dismissed in a Decision on Petition mailed 28 July 2004, signed by Mr. Derek L. Woods.

(The petition mailed January 29, 2004, was refaxed on March 24, 2004, because of not having received an answer to the petition filed by facsimile on January 29, 2004.)

Another petition was filed on May 7, 2004, after discovering that the deficiency in the deposit account was the reason the Notice of Abandonment was mailed. This other petition has yet to be acted on, and applicant requests here that the other petition--filed May 7, 2004--be considered to be in response to the Decision on Petition mailed 28 July 2004.

Applicant has now discovered another reference that applicant would like to have considered before the case issues, assuming the decision on the petition filed May 7, 2004, is favorable. For the reference to be considered, the case must be withdrawn from issue. This communication also requests the name of the petitions attorney who is or who will address the petition filed May 7, 2004, so that we can send to that same petitions attorney the petition to withdraw from issue to have the new reference considered.

Please call me, fax me, or email me (per the below information) with the name of the petitions attorney who is or will be acting on our petition to revive mailed 7 May 2004 so that I might also have before that attorney our petition to withdraw from issue to consider a new reference.

Respectfully submitted,

Aug. 11, 2004
Date


James A. Retter

Registration No. 41,266

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